

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

DERRICK FLORENCE,

Plaintiff,

vs.

D. WASHINGTON

Defendant.

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CIVIL ACTION: 24-0178-KD-N

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and no objections having been filed, the Report and Recommendation of the Magistrate Judge (Doc. 7) made under 28 U.S.C. § 636(a)-(b), Fed. R. Civ. P. 72(b), and S.D. Ala. GenLR72(c), and dated July 23, 2024, is **ADOPTED** as the opinion of this Court, as modified herein:

1. The phrase “for which Florence was convicted” is stricken from the last sentence of the first paragraph on page one.
2. The sentence “Nor does he provide facts related to the legal process or proceedings under which he was convicted.” is stricken from the last paragraph on page three.
3. The following sentence “Plaintiff has stated that he has been released from prison, but it is unclear whether he served his sentence or whether his conviction was overturned.” is stricken from the second paragraph on page five.
4. The phrase “for which Florence was convicted” is stricken from the Conclusion on page six.

Accordingly, it is **ORDERED** that any false arrest claim related to the 2019 arrest is

DISMISSED with prejudice, and all other claims **DISMISSED without prejudice**.¹

DONE and **ORDERED** this the 16th day of August 2024.

s/ Kristi K. DuBose
KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE

¹ Plaintiff previously filed a lawsuit in this Court (Civil Action No. 24-00083-JB) wherein he filed claims against an Officer Williams and the Mobile Police Department. It is not clear whether the Plaintiff's claims are based on the same arrest. Plaintiff is advised that he will not be allowed to file two lawsuits unless the claims are based on separate unrelated events.